



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

**REGION 8, MONTANA OFFICE
FEDERAL BUILDING, 10 West 15th St, Suite 3200
HELENA, MONTANA 59626**

Ref: 8MO

April 25, 2011

Ms. Linda M. Ellett-Fee, District Ranger
Three Rivers Ranger District
12858 US Highway 2
Troy, Montana 59935

Re: CEQ # 20110076; EPA Comments on
Grizzly Vegetation and Transportation
Management Project Draft Supplemental
EIS

Dear Ms. Ellett-Fee:

The Environmental Protection Agency (EPA) Region VIII Montana Office has reviewed the Draft Supplemental Environmental Impact Statement (DSEIS) for the Kootenai National Forest's Grizzly Vegetation and Transportation Management Project in accordance with EPA responsibilities under the National Environmental Policy Act (NEPA), 42 U.S.C. 4231 and Section 309 of the Clean Air Act.

The DSEIS updates the analysis of impacts to the threatened grizzly bear in the Cabinet-Yaak grizzly bear recovery zone for proposed vegetation and road management activities in response to a 2010 U.S. District Court ruling for the District of Montana. The Statement of Findings in the DSEIS indicates that while the proposed project may disturb or temporarily displace grizzly bears and "may affect, but not likely adversely affect" the grizzly bear the project would: 1) increase core grizzly habitat in Bear Management Unit (BMU) 11 by 2,700 acres; 2) meet or exceed recommendations and/or standards for grizzly core habitat, habitat effectiveness, and road density in BMUs 11 and 14; 3) minimize disturbance and temporary displacement of bears; 4) avoid project activities during spring bear season (4/15 to 6/15); and 5) avoid increases in grizzly bear mortality risk.

The EPA appreciates the updated analysis of potential impacts to the threatened grizzly bear. We defer, however, to the expertise of the U.S. Fish & Wildlife Service and Montana Dept. of Fish, Wildlife, and Parks in regard to technical evaluation of the updated grizzly bear impact analysis, and the validity of the DSEIS findings.

EPA continues to support the proposed watershed rehabilitation work included in the Grizzly Vegetation and Transportation Management project (i.e., 15.4 miles of road decommissioning; 9.7 miles of road storage; 36 miles of road BMP improvements, 27 miles of

passive road decommissioning - abandonment), since roads are the single largest source of management related sediment in most streams in the Yaak River Basin. Reduction in sediment delivery from the road system to surface waters is an important aspect in restoring and maintaining aquatic health in the area. The reduction in road density in the area should also improve grizzly bear habitat and security.

Based on the procedures EPA uses to evaluate the adequacy of the information and the potential environmental impacts of the proposed action and alternatives in an EIS, the DSEIS has been rated as Category EC-2 (Environmental Concerns – Insufficient Information), since EPA continues to support selection of Alternative 3 over the Forest Service's selected alternative (Alternative 2), although we acknowledge that modifications made to Alternative 2 have reduced adverse environmental effects. However, EPA still supports Alternative 3 and considers it to be environmentally preferred over the Forest Service's selected alternative.

The EPA appreciates the opportunity to review the DSEIS. If you have any questions please contact Mr. Steve Potts of my staff in Helena at 406-457-5022 or in Missoula at 406-329-3313 or via e-mail at potts.stephen@epa.gov. Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, reading "Julie A. DalSoglio". The signature is fluid and cursive, with the first name "Julie" and last name "DalSoglio" clearly legible.

Julie A. DalSoglio
Director
Montana Office

cc: Larry Svoboda/Connie Collins, EPA 8EPR-N, Denver

U.S. Environmental Protection Agency Rating System for Draft Environmental Impact Statements

Definitions and Follow-Up Action*

Environmental Impact of the Action

LO - - Lack of Objections: The Environmental Protection Agency (EPA) review has not identified any potential environmental impacts requiring substantive changes to the proposal. The review may have disclosed opportunities for application of mitigation measures that could be accomplished with no more than minor changes to the proposal.

EC - - Environmental Concerns: The EPA review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures may require changes to the preferred alternative or application of mitigation measures that can reduce these impacts.

EO - - Environmental Objections: The EPA review has identified significant environmental impacts that should be avoided in order to provide adequate protection for the environment. Corrective measures may require substantial changes to the preferred alternative or consideration of some other project alternative (including the no-action alternative or a new alternative). EPA intends to work with the lead agency to reduce these impacts.

EU - - Environmentally Unsatisfactory: The EPA review has identified adverse environmental impacts that are of sufficient magnitude that they are unsatisfactory from the standpoint of public health or welfare or environmental quality. EPA intends to work with the lead agency to reduce these impacts. If the potential unsatisfactory impacts are not corrected at the final EIS stage, this proposal will be recommended for referral to the Council on Environmental Quality (CEQ).

Adequacy of the Impact Statement

Category 1 - - Adequate: EPA believes the draft EIS adequately sets forth the environmental impact(s) of the preferred alternative and those of the alternatives reasonably available to the project or action. No further analysis of data collection is necessary, but the reviewer may suggest the addition of clarifying language or information.

Category 2 - - Insufficient Information: The draft EIS does not contain sufficient information for EPA to fully assess environmental impacts that should be avoided in order to fully protect the environment, or the EPA reviewer has identified new reasonably available alternatives that are within the spectrum of alternatives analyzed in the draft EIS, which could reduce the environmental impacts of the action. The identified additional information, data, analyses or discussion should be included in the final EIS.

Category 3 - - Inadequate: EPA does not believe that the draft EIS adequately assesses potentially significant environmental impacts of the action, or the EPA reviewer has identified new, reasonably available alternatives that are outside of the spectrum of alternatives analyzed in the draft EIS, which should be analyzed in order to reduce the potentially significant environmental impacts. EPA believes that the identified additional information, data, analyses, or discussions are of such a magnitude that they should have full public review at a draft stage. EPA does not believe that the draft EIS is adequate for the purposes of the National Environmental Policy Act and or Section 309 review, and thus should be formally revised and made available for public comment in a supplemental or revised draft EIS. On the basis of the potential significant impacts involved, this proposal could be a candidate for referral to the CEQ.

* From EPA Manual 1640 Policy and Procedures for the Review of Federal Actions Impacting the Environment. February, 1987.

